

REMARKS

Claims 1-16 are pending in this application. Claims 10, 15, and 16 are amended to more distinctly claim the subject matter. Claims 11-14 are canceled by this response. Applicants submit that no new matter has been added by this response.

Claims 10 and 11 were rejected under 35 U.S.C. § 102(e) as being anticipated by US Patent Publication No.: 2003/0063778 to Rowe et al. (hereinafter as "Rowe"). Claims 12 and 13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Rowe in view of US Patent Publication No.: 2005/0221856 to Hirano et al. (hereinafter as "Hirano"). Claims 1-7 were rejected under 35 U.S.C. § 103(a) as being unpatentable over KR 10-2002-17576 to Jung et al. (hereinafter as "Jung") in view of Hirano. Claim 8 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Jung and Hirano in view of US Patent Publication No.: 2003/0058236 to Neal (hereinafter as "Neal"). Claim 9 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Jung and Hirano in view of Neal and further in view of US Patent Publication No.: 2002/0018525 to Nishi et al. (hereinafter as "Nishi").

Applicants respectfully traverse the rejections, and requests reconsideration and allowance of these claims in view of the following arguments.

ALLOWABLE SUBJECT MATTER

Applicants note with appreciation, the Examiner's indication that claims 14-16 would be allowable if rewritten in independent form.

Accordingly, claims 11-14 have been canceled and the limitations therein have been amended into independent claim 10. Applicants believe claim 10 is now in a

condition of allowance. Dependent claims 15 and 16 are also believed to be allowable at least by virtue of their dependence from claim 10.

REJECTIONS UNDER 35 U.S.C. § 102

Claims 10 and 11 were rejected under 35 U.S.C. § 102(e) as being anticipated by Rowe. Claim 11 has been canceled by this response. As stated above, claim 10 has been amended to include subject matter from allowable claim 14, therefore Applicants believe claim 10 is allowable and the rejection is moot with regards to claims 10 and 11.

REJECTIONS UNDER 35 U.S.C. § 103(a)

CLAIMS 12 and 13

Claims 12 and 13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Rowe in view of Hirano. Claims 12 and 13 have been canceled by this response and the subject matter amended into allowable claim 10. Therefore, Applicants believe the rejections to be moot with regard to claims 12 and 13.

REJECTIONS UNDER 35 U.S.C. § 103(a)

CLAIMS 1-7

Claims 1-7 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Jung in view of Hirano.

Claim 1 is directed to a mobile communication terminal and includes "an image processing unit for processing images produced by the photographic apparatus,

wherein control information is developed responsive to movement occurring in the images."

Page 7 of the Office Action asserts that Jung discloses the claim elements identified in claim 1, with the exception a mobile terminal. Applicants respectfully submit that Jung fails to teach the identified claim feature.

The Examiner relies on the Jung abstract, lines 24-26 reciting "*the system further has a main controller (50) for extracting motion information of the object from the input image*" and the Examiner asserts that the motion information is read as the control information.

Applicants respectfully, submit Jung fails to teach or suggest "control information is developed responsive to movement occurring in the images." Jung teaches the motion information is the control information, not that the control information is developed from the motion information.

On page 7 of the Office Action, the Examiner relies on Hirano to cure the deficiencies of Jung with regards to the "mobile communication terminal" feature. However, Applicants submit that Hirano fails to cure the deficiency of Jung with regard to "control information is developed responsive to movement occurring in the images."

Claim 1 is distinguishable because the Hirano components do not describe that control information is developed responsive to movement occurring in the images. In particular, Hirano discloses a mobile-terminal-type translating system, wherein recognition and translation is a type of process service provided.

The Hirano device relates to "recognition and translation of character strings in images." More importantly, Hirano is absolutely silent on "movement occurring" in such

images. Applicants emphasize that claim 1 recites processing images produced by the photographic apparatus, wherein control information is developed responsive to movement occurring in the images. Neither Jung nor Hirano contains such teaching.

Applicants respectfully submit that even if one skilled in the art were to combine the teachings of the references in the manner asserted, the method disclosed would not teach or suggest all of the recited elements of claim 1, and therefore claim 1 is patentable over Jung in view of Hirano. Dependent claims 2-6 are believed to patentable at least by virtue of their dependence from claim 1.

Claim 7 is directed to a method for operating a mobile communication terminal and includes "setting an operational function of the mobile communication terminal to correspond to the control information" and "operating the mobile communication terminal based on the control information, wherein the control information is developed responsive to movement occurring in the images." Claim 7 recites limitations similar to claim 1, with regard to "control information is developed responsive to movement occurring in the images," which is distinguishable from the cited references. For the reasons stated above, Applicant submits that claim 7 is also patentable over Jung in view of Hirano.

The Examiner also asserts, on page 10 of the Office Action, Jung teaches the "setting an operational function" feature, as recited in claim 7. It is noted that the Examiner cites Jung abstract, line 26 as teaching the identified limitation, which is also cited as teaching "the motion information is read as the control information." Arguably, the reference does not teach "setting an operational function to correspond to control information," since the control information is not developed responsive to the

movement. Instead, Jung appears to teach only that the controller extracts motion information of the object from the input image, wherein the Examiner asserts that the motion information is read as control information.

In view of the foregoing, Jung fails to teach one or more features recited in claim 7. Accordingly, even if one skilled in the art were to combine the teachings of Jung and Hirano in the manner asserted, the method disclosed by the references would not teach or suggest all of the recited elements of claim 7. Thus, this claim is believed to be patentable.

REJECTIONS UNDER 35 U.S.C. § 103(a)

CLAIMS 8 and 9

Claim 8 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Jung and Hirano in view of Neal. Claim 9 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Jung and Hirano in view of Neal and further in view of Nishi.

Claims 8 and 9 depend from independent claim 7, and as stated above, Jung fails to teach or suggest all of the features recited in the claims, therefore, claim 7 is believed to be patentable. Applicants respectfully submit that neither Hirano, Neal nor Nishi, alone or in combination, cures the deficiencies of Jung, in regards to “setting an operational function of the mobile communication terminal” and “control information is developed responsive to movement,” as recited in claim 7.

In view of the foregoing, even if one skilled in the art were to combine the teachings of the references in the manner asserted, the method disclosed by the references would not teach or suggest all of the recited elements of claim 7. Thus, it is

believed that claims 8 and 9 are patentable at least by virtue of their respective dependency.

CONCLUSION

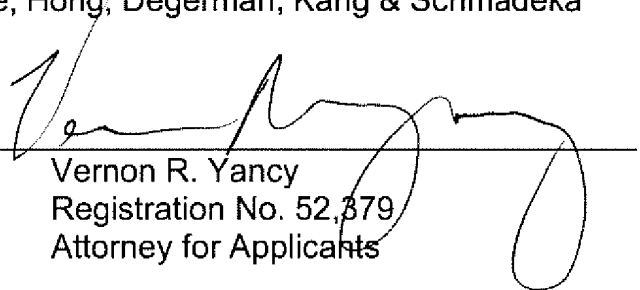
In view of the foregoing, it is respectfully submitted that the application and the claims are in condition for reconsideration on the merits, thus favorable reexamination of the application is requested. The Examiner is invited to call the undersigned attorney at (213) 623-2221 should the Examiner believe a telephone interview would advance the prosecution of the application.

Respectfully submitted,

Lee, Hong, Degerman, Kang & Schmadeka

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By:



Vernon R. Yancy
Registration No. 52,379
Attorney for Applicants

Customer No. 035884